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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,208	11/10/2003	Aaron Joseph McBride	2966-031366	2941
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THE WEBB LAW FIRM, P.C. 700 KOPPERS BUILDING 436 SEVENTH AVENUE PITTSBURGH, PA 15219				EXAMINER BUSS, BENJAMIN J
				ART UNIT 2129 PAPER NUMBER

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/705,208	MCBRIDE ET AL.	
	Examiner	Art Unit	
	Benjamin Buss	2129	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 July 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,5,6,8-10,13-15,18-20,22-35,40 and 41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,5,6,8-10,13-15,18-20,22-35,40 and 41 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10 November 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08).
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

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DETAILED ACTION

This Office Action is in response to an AMENDMENT entered 7/24/2006 for the patent application 10/705,208 filed on 11/10/2003.

The First Office Action of 4/20/2006 is fully incorporated into this Final Office Action by reference.

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In the event that Applicant chooses to amend, the Examiner suggests clearly defining the following broad terms in the claims:

- Signifier;
- response layer;
- 10 - logic layer;
- input layer;

Status of Claims

Claims 1, 5-6, 8-10, 13-15, 18-20, 22-35, & 40-41 are pending.

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Claim Objections

Applicant is advised that should claims 13-15 be found allowable, claims 18-20 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one 20 claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

25 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- Claims 1 and 35: The wording "determine if a response layer or a logic layer needs information" requires 30 only that this determination is made for either the response layer or the logic layer, but this means that

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only one of the two subsequent limitations is valid. For example, if one determines the logic layer needs information, the limitation beginning "if the response layer ..." is invalid.

- o If Applicant intends that this determination of needed information is made for **both** the response layer and the logic layer, Examiner suggests splitting the limitation "determine if a response layer or a logic layer needs information by identifying the presence of a signifier in the response layer or the logic layer respectively" into two limitations reading -- determine if a response layer needs information by identifying the presence of a signifier in the response layer; determine if a logic layer needs information by identifying the presence of a signifier in the logic layer --.
- o If Applicant intends that this determination needs made for **either** the response layer or the logic layer, Examiner suggests changing "determine if a response layer or a logic layer needs information by identifying the presence of a signifier in the response layer or the logic layer respectively; if the response layer needs information, retrieve the information from a corresponding field in the template and insert the information into the response layer; and if the logic layer needs information, retrieve the information from a corresponding field in the template and insert the information into the logic layer" to -- determine if either a response layer or a logic layer needs information by identifying the presence of a signifier in the response layer or the logic layer respectively, and retrieve information indicated as needed from a corresponding field in the template and insert the information into the response layer or the logic layer respectively --.

Appropriate corrections are required.

Response to Arguments

Applicants' arguments, see page 9, filed 7/24/2006, with respect to the rejections of claims 8-10 and 21 under 35 U.S.C. §112, second paragraph have been fully considered and are persuasive. The rejections of claims 8-10 and 21 under 35 U.S.C. §112, second paragraph have been withdrawn. However, Applicants' amendment has raised a new rejection of claims 1 and 35 under 35 U.S.C. §112, second paragraph as stated above.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- 60 (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 35 and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by **Morikawa** (USPAP 2001/0054096).

65 **Independent Claim 35:**

Morikawa anticipates:

- An interface configured to receive information from the administrator (pages 1-8 especially "setting templates displayed to an upper administrator" ¶41 and "Settings to be transferred ... template entry/edit means ... presented to the administrator to select" ¶54-56; Also see Abstract and Figures 10-14);
- A template accessible to the administrator, wherein the template includes at least one field to elicit information from the administrator (pages 1-8 especially "template entry/edit means for entering or editing a setting template that collects contents to be set" ¶23 and "setting templates displayed to an upper administrator" ¶41 and "Settings to be transferred ... template entry/edit means ... presented to the administrator to select" ¶54-56 and "parameters" ¶69 and "setting" ¶96 and "administrator" ¶59 and "templates to be stored in a template accumulation means" ¶38-39 and "Settings to be transferred ... are collected to name setting templates ... setting templates are input or edited ... and are stored in the template storing means" ¶54 and "administrator ... setting template is stored in the setting template storing means" ¶102; Also see Abstract and Figures 10-14);
- An engine configured to:
 - o Make the information accessible to a rules-based program that provides the at least one response in reply to the inputs from the user (pages 1-8 especially "When a communication starts with a command form a user ... retrieved from the application rule storing means ... the setting template having a name "T02" should be applied thereon" ¶106-109; Also see Figure 15);
 - o Retrieve the rules (p1-8 especially "retrieval and response function means for selecting a corresponding application rule from the application rule accumulation means in accordance with

the attribute of a destination communication entity to distribute the setting" ¶23 and "retrieval and response function unit 13 selects a corresponding application rule from the application rule storing means" ¶57);

- o For each rule retrieved, determine whether the rule needs information (p1-8 especially "retrieval ... in accordance with the attribute of a destination communication entity to distribute the setting" ¶23 and "retrieval and response function unit 13 selects a corresponding application rule from the application rule storing means 11 in accordance with communication attributes of a distribution designation" ¶57);
- o Retrieve the information from a corresponding field in the template and insert the information into the rule if the rule needs information (p1-8 especially "method of fetching out a combination is used which is desired to exploit from a concrete setting method 20 to input, edit, and store" ¶58 and);
- o Determine if a response layer or a logic layer needs information by identifying the presence of a signifier in the response layer or the logic layer, respectively (p1-8 especially "communication entity 2 issues a request to the communication setting management apparatus 1 in order to be informed of what kind of setting should be applied on the communication" ¶106 and "a request from the communications entity 2 ..., is analyzed to obtain three items (220, 221, 222) of the aforesaid attribute" ¶107 and "contradiction modification function unit for modifying a contradiction at the time when a contradiction is detected that a setting template or setting templates specified by the contradiction detection function unit according to the application rule are not coincident with each other" §27); and
 - If the response layer needs information, retrieve the information from a corresponding field in the template and insert the information into the response layer; and If the logic layer needs information, retrieve the information from a corresponding field in the template and insert the information into the logic layer (p1-8 especially "a request from the communications entity 2 ..., is analyzed to obtain three items (220, 221, 222) of the aforesaid attribute" ¶107 and "adaptation rules which conform to this attribute are retrieved from the application rule storing means" ¶108 and "contradiction modification function unit for modifying a contradiction at the time when a contradiction is detected that a setting

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template or setting templates specified by the contradiction detection function unit according to the application rule are not coincident with each other" §27).

Claim 40:**Morikawa anticipates:**

- Further including an editor adapted to access the information and enable the administrator to edit the information (pages 1-8 especially "edit" ¶¶54-64).

Response to Arguments

Applicants' arguments filed 7/24/2006 have been fully considered but they are not persuasive. Applicants' only argument pertaining to claims 35 and 40 is merely that the limitations found in claim 1 have been added to claim 35, so "Because the method of claim 1 is inherent in the operation of the system of claim 35, when claim 1 is considered to be in condition for allowance, claim 35 should also be considered to be in condition for allowance" (see page 9). Claim 1 is not in condition for allowance, as shown below, so Applicants' argument is not persuasive.

The rejection of claims 35 and 40 under 35 U.S.C. §102 as anticipated by **Morikawa** STANDS.

Claim Rejections - 35 USC § 103

130 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

135 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5-6, 8-10, 13-15, 18-20, 23-24, 27-34, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Chikirivao** (USPAP 2003/0163783) in view of **Ferrel** (USPN 5,907,837).

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Independent Claim 1:**Chikirivao** teaches:

- Providing a template interface to the administrator, wherein the template includes at least one field to elicit information from the administrator (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository" ¶¶38-39),

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- Receiving information from the administrator into the template (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository" ¶38-39 and "entering and saving of data into a template" ¶43), and
- Making the information accessible to a rules-based program for use in providing the at least one response
150 in reply to a request from a user (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository ... either testing the rule or saving the rule" ¶38-39 and "rules created by an administrator are preferably saved in the rule repository" ¶29), wherein the step of making the information accessible to the rules-based program saves the information as part of the template into rules (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository" ¶38-39 and "entering and saving of data into a template" ¶43 and "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository ... either testing the rule or saving the rule" ¶38-39 and "rules created by an administrator are preferably saved in the rule repository" ¶29 and "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository ... either testing the rule or saving the rule" ¶38-39 and "rules created by an administrator are preferably saved in the rule repository" ¶29; *The rule repository is clearly structured data storage*), and wherein the step of saving the information into rules includes the steps of:
 - o Retrieving rules (pages 1-7 especially "system obtains the rule" ¶38-39),
 - o For each rule retrieved, determining whether the rule needs information (pages 1-7 especially "administrator may need to specify more or less information" ¶40 and "rules which are generated based upon ... information ... based upon parameters specified" ¶31 and "information and/or sub-rules needed to make such determinations" ¶32 and "rules may be designed with any level of interactivity and/or user knowledge required and may include and utilize data and other information" ¶33 and "extracts from the provided information those parameters required by the rule(s)" ¶44-48),
 - o If the rule needs information, retrieving the information from a corresponding field in the template and inserting the information into the rule (pages 1-7 especially "extracts from the provided

information those parameters required by the rule(s)" ¶44-48 and "administrator may need to specify more or less information" ¶40 and "routing of information based upon the input template" ¶59), wherein the step of determining whether the rule needs information includes determining whether a response layer (pages 1-7 especially "rule which requires the user to provide inputs as to specific needs" ¶35) or a logic layer (pages 1-7 especially "administrator may need to specify more or less information" ¶40 and "rules which are generated based upon ... information ... based upon parameters specified" ¶31 and "information and/or sub-rules needed to make such determinations" ¶32 and "rules may be designed with any level of interactivity and/or user knowledge required and may include and utilize data and other information" ¶33 and "extracts from the provided information those parameters required by the rule(s)" ¶44-48; *The rule system is clearly a logic layer which logically analyzes based on the logic contained in the rules*) needs information, and

185 ■ If the response layer needs information, retrieving the information from a corresponding field in the template and inserting the information into the response layer (pages 1-7 especially "templates and other features that enable a user to expeditiously enter the necessary information required" ¶43 and "extracts from the provided information those parameters required by the rule(s)" ¶44-48 and "information is received from the field" ¶50 and "routing of information based upon the input template" ¶59);

190 ■ If the logic layer needs information, retrieving the information from a corresponding field in the template and inserting the information into the logic layer (pages 1-7 especially "extracts from the provided information those parameters required by the rule(s)" ¶44-48 and "administrator may need to specify more or less information" ¶40 and "routing of information based upon the input template" ¶59; *The rule system is clearly a logic layer which logically analyzes based on the logic contained in the rules*).

Chikirivao fails to teach:

- Wherein the step of determining whether a layer needs information, includes the step of identifying a signifier in the layer.

200 **Ferrel** teaches:

- Wherein the step of determining whether a layer needs information, includes the step of identifying a signifier in the layer (C4:44 especially "code for implementing instances" C18:30-50 and "tagged content ... insert links ... able to recognize OLE controls embedded ... stream of text with embedded objects such as links ... also be tagged" C20:20-50 and "tag.encountered or attribute encountered ... identifying the tag and attributes whose data is the element that was tagged ... point to tagged text" C22:10-40).

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Motivation:

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Chikirivao and **Ferrel** are from the same field of endeavor, software development, particularly information management and retrieval. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of **Chikirivao** by identifying a signifier in a layer such as the response or logic layer to determine whether information is needed as taught by **Ferrel** for the benefit of dynamically finding and displaying content at runtime to deliver targeted versions of a publication while providing the most benefit by using an on-line network (**Ferrel** C7:5-60).

Independent Claim 41:

215 **Chikirivao** teaches:

- Providing a template to the administrator, wherein the template includes at least one field to elicit information from the administrator (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository" ¶38-39),
- Receiving information from the administrator into the template (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository" ¶38-39 and "entering and saving of data into a template" ¶43), and
- Making the information accessible to a rules-based program for use in providing the at least one response in reply to a request from a user (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository ... either testing the rule or saving the rule" ¶38-39 and "rules created by an administrator are preferably saved in the rule repository" ¶29), wherein the step of making the information accessible to the rules-based program saves the information as part of the template (pages 1-7 especially "querying the administrator ... create a

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customized rule based upon a pre-existing customizable rule template saved in the rule repository" ¶38-39 and "entering and saving of data into a template" ¶43) into rules (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository ... either testing the rule or saving the rule" ¶38-39 and "rules created by an administrator are preferably saved in the rule repository" ¶29),

- o Retrieving rules (pages 1-7 especially "system obtains the rule" ¶38-39),
- o For each rule retrieved, determining whether the rule needs information (pages 1-7 especially "administrator may need to specify more or less information" ¶40 and "rules which are generated based upon ... information ... based upon parameters specified" ¶31 and "information and/or sub-rules needed to make such determinations" ¶32 and "rules may be designed with any level of interactivity and/or user knowledge required and may include and utilize data and other information" ¶33 and "extracts from the provided information those parameters required by the rule(s)" ¶44-48),
 - o If the rule needs information, retrieving the information from a corresponding field in the template and inserting the information into the rule (pages 1-7 especially "extracts from the provided information those parameters required by the rule(s)" ¶44-48 and "administrator may need to specify more or less information" ¶40 and "routing of information based upon the input template" ¶59)

Chikirivao fails to teach:

- Determining whether an input recognizer needs information by identifying the presence of a signifier; and
 - o If the input recognizer needs information, retrieving the information from a corresponding field in the template and inserting the information into the input recognizer.

250 **Ferrel** teaches:

- Wherein the step of determining whether the rule needs information includes determining whether an input recognizer needs information by identifying the presence of a signifier (C4-44 especially "recognize OLE controls" C20:25-45 and "creating one or more subqueries based on the search query" C5:15-35 and "search server ... provides one or more subqueries" C29:5-30 and "code for implementing instances" C18:30-50 and "tagged content ... insert links ... able to recognize OLE controls embedded ... stream of

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text with embedded objects such as links ... also be tagged" C20:20-50 and "tag encountered or attribute encountered ... identifying the tag and attributes whose data is the element that was tagged ... point to tagged text" C22:10-40 and "tag ... with retrieval attributes" C21:25-45),

- 260 o If the input recognizer needs information, retrieving the information from a corresponding field in the template and inserting the information into the input recognizer (C4-44 especially "ask them for their MPML representation ... retrieve a MPML representation" C20-25-45 and "retrieving results of the subquery" C5-15-35 and "resolve search request ... makes partition specific subqueries" C34:45-67).

Motivation:

265 **Chikirivao** and **Ferrel** are from the same field of endeavor, software development, particularly information management and retrieval. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of **Chikirivao** by having a signifier recognizable for the input recognizer to determine if more information is needed as taught by **Ferrel** for the benefit of dynamically finding and displaying content at runtime to deliver targeted versions of a publication while providing the most benefit
270 by using an on-line network (**Ferrel** C7:5-60).

Claim 5:

Chikirivao fails to teach:

- Wherein the step of determining whether the rule needs information includes the steps of:
275 o Determining whether a response layer needs information, and
 o If the response layer needs information, retrieving the information from a corresponding field in the template and inserting the information into the response layer.

Ferrel teaches:

- Wherein the step of determining whether the rule needs information includes the steps of:
280 o Determining whether a response layer needs information (C4-44 especially "determines if the title is out of date" C12:35-55 and "examines ... to see if any of the information required to display the pressed title needs to be acquired" C12:20-35), and

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- 285 o If the response layer needs information, retrieving the information from a corresponding field in the template and inserting the information into the response layer (C4-44 especially "acquires any needed information" C12:35-55 and "acquires this information" C12:20-35).

Motivation:

290 **Chikirivao** and **Ferrel** are from the same field of endeavor, software development, particularly information management and retrieval. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of **Chikirivao** by acquiring more information for the query response as needed as taught by **Ferrel** for the benefit of dynamically finding and displaying content at runtime to deliver targeted versions of a publication while providing the most benefit by using an on-line network (Ferrel C7:5-60).

Claim 6:

295 **Chikirivao** fails to teach:

- Wherein the step of determining whether the rule needs information includes the steps of:
 - o Determining whether a logic layer needs information, and
 - o If the logic layer needs information, retrieving the information from a corresponding field in the template and inserting the information into the logic layer.

300 **Ferrel** teaches:

- Wherein the step of determining whether the rule needs information includes the steps of:
 - o Determining whether a logic layer needs information (C4-44 especially "examines ... to see if any of the information required to display the pressed title needs to be acquired" C12:20-35 and "need to identify elements in the structure of the content so they may format it correctly" C19:40-60), and
 - o If the logic layer needs information, retrieving the information from a corresponding field in the template and inserting the information into the logic layer (C4-44 especially "acquires this information" C12:20-35 and "environment provides a way for authors to create structured documents ... template defining styles and macros" C19:40-C20:15).

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Motivation:

310 **Chikirivao** and **Ferrel** are from the same field of endeavor, software development, particularly information management and retrieval. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of **Chikirivao** by getting more information for logically processing requests as needed as taught by **Ferrel** for the benefit of dynamically finding and displaying content at runtime to deliver targeted versions of a publication while providing the most benefit by using an on-line network (**Ferrel** C7:5-60).

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Claims 8, 13, & 18:**Chikirivao** fails to teach:

- Wherein the signifier is a tag in a text string.

320 **Ferrel** teaches:

- Wherein the signifier is a tag in a text string (C4:44 especially "tagged content ... insert links ... able to recognize OLE controls embedded ... stream of text with embedded objects such as links ... also be tagged" C20:20-50 and "tag encountered or attribute encountered ... identifying the tag and attributes whose data is the element that was tagged ... point to tagged text" C22:10-40 and "code for implementing instances" C18:30-50 and "tag ... with retrieval attributes" C21:25-45).

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Motivation:

330 **Chikirivao** and **Ferrel** are from the same field of endeavor, software development, particularly information management and retrieval. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of **Chikirivao** by having a tag in a text string as a signifier as taught by **Ferrel** for the benefit of dynamically finding and displaying content at runtime to deliver targeted versions of a publication while providing the most benefit by using an on-line network (**Ferrel** C7:5-60).

Claims 9, 14, & 19:**Chikirivao** fails to teach:

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- Wherein the signifier is an instruction embedded in a text string.

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Ferrel teaches:

- Wherein the signifier is an instruction embedded in a text string (C4:44 especially "tagged content ... insert links ... able to recognize OLE controls embedded ... stream of text with embedded objects such as links ... also be tagged" C20:20-50 and "tag encountered or attribute encountered ... identifying the tag and attributes whose data is the element that was tagged ... point to tagged text" C22:10-40 and "code for implementing instances" C18:30-50 and "tag ... with retrieval attributes" C21:25-45).

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Motivation:

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Chikirivao and **Ferrel** are from the same field of endeavor, software development, particularly information management and retrieval. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of **Chikirivao** by having an instruction embedding in a text string as taught by **Ferrel** for the benefit of dynamically finding and displaying content at runtime to deliver targeted versions of a publication while providing the most benefit by using an on-line network (**Ferrel** C7:5-60).

Claims 10, 15, & 20:

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Chikirivao fails to teach:

- Wherein the signifier is a code.

Ferrel teaches:

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- Wherein the signifier is a code (C4:44 especially "code for implementing instances" C18:30-50 and "tagged content ... insert links ... able to recognize OLE controls embedded ... stream of text with embedded objects such as links ... also be tagged" C20:20-50 and "tag encountered or attribute encountered ... identifying the tag and attributes whose data is the element that was tagged ... point to tagged text" C22:10-40 and "tag ... with retrieval attributes" C21:25-45).

Motivation:

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Chikirivao and **Ferrel** are from the same field of endeavor, software development, particularly information management and retrieval. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of **Chikirivao** by having a code as a signifier as taught by **Ferrel** for the benefit of dynamically finding and displaying content at runtime to deliver targeted versions of a publication while providing the most benefit by using an on-line network (**Ferrel** C7:5-60).

365 **Claim 23:**

Chikirivao teaches:

- Wherein the step of making the information accessible to the rules-based program is accomplished by receiving a manual command from a user (pages 1-7 especially "access to a rule may be specified manually or automatically" ¶43).

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Claim 24:

Chikirivao teaches:

- Wherein the step of making the information accessible to the rules-based program is accomplished automatically upon the occurrence of a predefined event (pages 1-7 especially "access to a rule may be specified manually or automatically" ¶43).

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Claim 27:

Chikirivao teaches:

- Wherein the predefined event is activation of a save function by the administrator (pages 1-7 especially "access to a rule may be specified manually or automatically ... rule may be activated upon the entering and saving of data into a template" ¶43).

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Claim 28:

Chikirivao teaches:

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- Further including the step of enabling the administrator to edit the information (pages 1-7 especially "querying the administrator ... modify an existing rule ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository ... allow the user to modify/customize the rule" ¶38-39 and "enables such administrators to ... edit ... the rules" ¶29).

390 **Claim 29:****Chikirivao teaches:**

- Wherein the step of enabling the administrator to edit the information includes the steps of:
 - o Retrieving the information (pages 1-7 especially "obtains the rule and provides those interfaces necessary to allow the user to modify/customize the rule" ¶38-39),
 - o Posting the information in at least one appropriate field in the template (pages 1-7 especially "based upon a pre-existing customizable rule template ... obtains the rule and provides those interfaces necessary to allow the user to modify/customize the rule" ¶38-39 and "templates and other features that enable a user to expeditiously enter the necessary information required for a given task" ¶43),
 - o Receiving edited information from the administrator into the template (pages 1-7 especially "based upon a pre-existing customizable rule template ... obtains the rule and provides those interfaces necessary to allow the user to modify/customize the rule" ¶38-39 and "templates and other features that enable a user to expeditiously enter the necessary information required for a given task" ¶43),
and
 - o Making the edited information accessible to the rules-based program for use in providing the at least one response in reply to a request from the user (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository ... either testing the rule or saving the rule" ¶38-39 and "rules created by an administrator are preferably saved in the rule repository" ¶29).

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Claim 30:**Chikirivao teaches wherein:**

- The step of making the information accessible to the rules-based program saves the information as part of the template (pages 1-7 especially "access to a rule may be specified manually or automatically ... rule may be activated upon the entering and saving of data into a template" ¶43), and

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- The step of retrieving the information includes the step of restoring the information to the at least one field (pages 1-7 especially "based upon a pre-existing customizable rule template ... obtains the rule and provides those interfaces necessary to allow the user to modify/customize the rule" ¶38-39).

420 **Claim 31:****Chikirivao** teaches wherein:

- The step of making the information accessible to the rules-based program saves the information as structured data (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository ... either testing the rule or saving the rule" ¶38-39 and "rules created by an administrator are preferably saved in the rule repository" ¶29; *The rule repository is clearly structured data storage*).

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Chikirivao fails to teach wherein:

- The step of retrieving the information includes the steps of, for at least one of the at least one field in the template:
 - o Retrieving instructions indicating where the information is stored, and
 - o Executing the instructions to retrieve the information.

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Ferrel teaches wherein:

- The step of making the information accessible to the rules-based program saves the information as structured data (C4-44 especially "natural way of storing related and ordered objects is in a data structure" C8:5-20 and "structured storage" C11:1-20), and
- The step of retrieving the information includes the steps of, for at least one of the at least one field in the template:
 - o Retrieving instructions indicating where the information is stored (C4-44 especially "modules at the storage location 122 include a server executable ... information retrieval service" C18:10-30 and "locate an object given its unique identity" C18:40-67)
 - o Executing the instructions to retrieve the information (C4-44 especially "modules at the storage location 122 include a server executable ... information retrieval service" C18:10-30 and "remotely retrieve the object from the server" C18:40-67).

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Motivation:

445 **Chikirivao** and **Ferrel** are from the same field of endeavor, software development, particularly information management and retrieval. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of **Chikirivao** by retrieving and executing instructions for the retrieval of the information as taught by **Ferrel** for the benefit of dynamically finding and displaying content at runtime to deliver targeted versions of a publication while providing the most benefit by using an on-line network
450 (**Ferrel** C7:5-60).

Claim 32:**Chikirivao** teaches wherein:

455 - The step of making the information accessible to the rules-based program saves the information into rules (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository ... either testing the rule or saving the rule" ¶38-39 and "rules created by an administrator are preferably saved in the rule repository" ¶29).

Chikirivao fails to teach wherein:

460 - The step of retrieving the information includes the steps of, for at least one of the at least one field in the template:
 o Retrieving instructions indicating where the information is stored, and
 o Executing the instructions to retrieve the information.

Ferrel teaches wherein:

465 - The step of retrieving the information includes the steps of, for at least one of the at least one field in the template:
 o Retrieving instructions indicating where the information is stored (C4-44 especially "modules at the storage location 122 include a server executable ... information retrieval service" C18:10-30 and "locate an object given its unique identity" C18:40-67)
 o Executing the instructions to retrieve the information (C4-44 especially "modules at the storage location 122 include a server executable ... information retrieval service" C18:10-30 and "remotely retrieve the object from the server" C18:40-67).

Motivation:

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Chikirivao and **Ferrel** are from the same field of endeavor, software development, particularly information management and retrieval. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of **Chikirivao** by retrieving and executing instructions for the retrieval of the information as taught by **Ferrel** for the benefit of dynamically finding and displaying content at runtime to deliver targeted versions of a publication while providing the most benefit by using an on-line network (**Ferrel** C7:5-60).

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Claim 33:**Chikirivao** teaches wherein:

- The step of making the information accessible to the rules-based program saves the information into rules (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository ... either testing the rule or saving the rule" ¶38-39 and "rules created by an administrator are preferably saved in the rule repository" ¶29).

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Chikirivao fails to teach wherein:

- The step of retrieving the information includes the steps of, for each rule used:
 - o Determining whether the rule includes a signifier, and
 - o If a signifier is included, executing instructions from the signifier to retrieve the information associated with the rule.

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Ferrel teaches wherein:

- The step of retrieving the information includes the steps of, for each rule used:
 - o Determining whether the rule includes a signifier (C4-44 especially "code for implementing instances" C18:30-50 and "tagged content ... insert links ... able to recognize OLE controls embedded ... stream of text with embedded objects such as links ... also be tagged" C20:20-50 and "tag encountered or attribute encountered ... identifying the tag and attributes whose data is the element that was tagged ... point to tagged text" C22:10-40 and "tag ... with retrieval attributes" C21:25-45), and

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- 500 o If a signifier is included, executing instructions from the signifier to retrieve the information associated with the rule (C4:44 especially "formatting tags ... retrieve formatting information" C15:30-55 and "controls embedded ... to retrieve a MPML representation" C20:20-45 and "tag ... with retrieval attributes" C21:25-45).

Motivation:

505 **Chikirivao** and **Ferrel** are from the same field of endeavor, software development, particularly information management and retrieval. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of **Chikirivao** by identifying a signifier in a layer such as the response or logic layer to determine whether information is needed as taught by **Ferrel** for the benefit of dynamically finding and displaying content at runtime to deliver targeted versions of a publication while providing the most benefit by using an on-line network (**Ferrel** C7:5-60).

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Claim 34:

Chikirivao teaches wherein:

- 515 - The step of making the information accessible to the rules-based program saves the information into rules (pages 1-7 especially "querying the administrator ... create a customized rule based upon a pre-existing customizable rule template saved in the rule repository ... either testing the rule or saving the rule" ¶38-39 and "rules created by an administrator are preferably saved in the rule repository" ¶29).

Chikirivao fails to teach wherein:

- 520 - The step of retrieving the information includes the steps of, for each rule used:
 - Determining whether the rule includes a signifier, and
 - If a signifier is included, retrieving the information tagged in the rule.

Ferrel teaches wherein:

- 525 - The step of retrieving the information includes the steps of, for each rule used:
 - Determining whether the rule includes a signifier (C4:44 especially "code for implementing instances" C18:30-50 and "tagged content ... insert links ... able to recognize OLE controls embedded ... stream of text with embedded objects such as links ... also be tagged" C20:20-50 and "tag encountered or attribute encountered ... identifying the tag and attributes whose data is

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the element that was tagged ... point to tagged text" C22:10-40 and "tag ... with retrieval attributes" C21:25-45), and

- 530 o If a signifier is included, retrieving the information tagged in the rule (C4-44 especially "formatting tags ... retrieve formatting information" C15:30-55 and "controls embedded ... to retrieve a MPML representation" C20:20-45 and "tag ... with retrieval attributes" C21:25-45).

Motivation:

535 **Chikirivao** and **Ferrel** are from the same field of endeavor, software development, particularly information management and retrieval. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of **Chikirivao** by identifying a signifier in a layer such as the response or logic layer to determine whether information is needed as taught by **Ferrel** for the benefit of dynamically finding and displaying content at runtime to deliver targeted versions of a publication while providing the most benefit by using an on-line network (**Ferrel** C7:5-60).

Response to Arguments

540 Applicants' arguments filed 7/24/2006 have been fully considered but they are not persuasive. Applicants argue:

545 Although both the cited Chikirivao publication and Ferrel patent relate to "software development," the specific areas of software development are a multimedia publishing environment that inherently relies on embedded objects due to its object oriented design (i.e., Chikirivao) and a natural language processing (NLP) environment (i.e., Ferrel). Multimedia publishing and NLP are completely different technical areas. In fact, no NLP related aspects are disclosed in the Ferrel patent. To rely on a reference under 35 U.S.C. §103, the reference must be analogous prior art (See MPEP 2141.01 (a)). "In order to rely on a reference as a basis for rejection of an Applicants' invention, the reference must either be in the field of Applicants' endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." *In re Oetiker*, 977 F.2d 1443, 1446, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992). Clearly, the Ferrel patent is neither in the field of NLP, nor would it be pertinent (reasonably or otherwise) to the problem of providing the ability to indicate the need for additional information upon parsing of an input in an NLP system. Thus, it would be unreasonable for a person having ordinary skill in the art to be motivated to use the teachings of the Ferrel patent in the Chikirivao publication.

555 Examiner disagrees. The instant application pertains to mass customization in pertaining to information management and retrieval (Specification ¶1). **Chikirivao** relates to control of operations and procedures in knowledge management systems (**Chikirivao** ¶1). **Ferrel** relates to indexing, querying, and retrieving information (**Ferrel** C1:10-15). It is clear that **Chikirivao** and **Ferrel** share the same field of endeavor as the instant invention, the management and retrieval of information. Furthermore, the field of computer science is broad, not narrow. It is unreasonable to believe that a person of ordinary skill in the art of computer programming would not possess knowledge of object-oriented programming. The person of ordinary skill in the art would in fact be very familiar with

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object oriented programming to the point that would be obvious to consider object oriented programming for any program written at the time the instant invention was made.

Applicants seem to be arguing that although both references relate to information management and retrieval, it would be unreasonable to have an object-oriented NLP environment. Examiner disagrees. See
565 **Ibrahim** ("TARO: An Interactive, Object-Oriented Tool for Building Natural Language Systems") which stated in 1989 that "Object-oriented programming (OOP) has only recently gained recognition as a powerful paradigm for organizing and incrementally modeling complex problems (**Ibrahim** p108 §1)". **Ibrahim** goes on to describe an object-oriented Natural Language System. Since **Chikirivao** is directed toward control of complex operations and/or procedures (**Chikirivao** ¶1), **Ibrahim** further motivates the use of the object-oriented methods of **Ferrel** in
570 combination with **Chikirivao**. Furthermore, another object oriented architectural model in a NLP system is described in **Uszkoreit** ("DISCO – An HPSG-based NLP System and its Application for Appointment Scheduling").
Applicants' arguments continue:

In any case, Applicants would like to point out that the disclosure in the Ferrel patent with respect to a "signifier" (as offered by the Examiner) cannot be reasonably equated with the signifier of the claimed invention. Specifically, the
575 Examiner offers three examples (as indicated by the Examiner's section citations) in the Ferrel patent that he equates to a signifier:

(1) Lines 548-549 of the Office Action - "*code for implementing instances*" (column 18, lines 30-50)

580 As discussed in the cited section, this "code" is found within a Dynamic Linked Library File (i.e., BBCTL.OCX), which allows OLE (Object Linking and Embedding) controls to be implemented within a published environment. This "code" has nothing to do with information found within data that is being parsed, as is the case with the signifier of the present invention.

585 (2) Lines 554-552 of the Office Action - "*tag encountered or attribute encountered ... identifying the tag and attributes whose data is the element that was tagged ... point to tagged text*" (column 22, lines 10-40).

This specific disclosure involves the aspects of saving an MDF file (Multimedia Document File) of an open desktop publishing project while accounting for any OLE objects thereof. The save routine creates a parse tree having nodes representative of retrieval attributes associated with a story (See column 21, lines 30-35). Specifically, the MDF file is parsed into a content tree having multiple nodes and branches (See column 22, lines 6-10). As shown in FIG. 7, each node has a formatting attribute associated with it. For example, the <WA> tag (600) indicates a wrap advertisement style for an embedded object (602) (See column 23, lines 3 1-39). The tags are used as an indexing guide for purposes of selectively displaying only certain formatting attributes to a requesting source depending on the bandwidth of that requesting source (See column 22, lines 9-10; column 23, lines 5-12). For example, a low-bandwidth requesting source may not necessarily be presented with the OLE object in the transmitted MDF file if the OLE object is bandwidth intensive. In any case, the "tags" cannot be equated to a signifier of the claimed invention in the context of the other claim limitations.

600 (3) Lines 549-550 of the Office Action - "*tagged content ... insert links ... able to recognize OLE controls embedded ... stream of text with embedded objects such as links ... also be tagged*" (column 20, lines 20-50)

Again, OLE controls are used to "extend the authoring environment" for purposes of supporting OLE. Wikipedia defines OLE as "a distributed object system and protocol [that] allows an editor to 'farm out' part of a document to another editor and then reimport it. For example, a desktop publishing system might send some text to a word processor or a picture to a bitmap editor using OLE. The main benefit of using OLE, next to reduced file size, is

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605 the ability to create a master file. References to data in this file can be made and the master file can then have changed data which will then take effect in the referenced document... [while DDE (Dynamic Data Exchange) was limited to transferring limited amounts of data between two running applications, OLE [is] capable of maintaining active links between two documents or even embedding one type of document within another." As is seen in the aforementioned description and, as is known in the art, OLE is used to dynamically link an external editable object into a current project. The link is continually maintained during the course of working within the project. The dynamic essence of OLE is not found in the claimed invention and therefore cannot be equated to the claimed signifier as defined in the specification.

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615 Examiner disagrees. Concerning the independent claims (1, 35, & 41), the claims only require that a signifier be identified in a response layer (claims 1 and 35), logic layer (claims 1 and 35), or input recognizer (claim 41). The broadest reasonable interpretation of the signifier in the independent claims includes anything that can be identified in a layer that responds in any manner, contains or executes any logic/rule, or recognizes the presence/content of any kind of input or received transmission.

620 Concerning argument (1): Applicants' argue that the cited "code" has nothing to do with information found within data that is being parsed. Examiner finds that there is no mention of the limitation that the code needs to have anything to do with data being parsed in the claims and the specification is not the measure of the invention. Therefore, limitations contained therein can not be read into the claims for the purpose of avoiding the prior art; see In re Srock, 55 CCPA 743, 386 F.2d 924, 155 USPQ 687 (1968).

625 Concerning argument (2): Applicants' argue that although the tags **are** embedded in text being parsed, the tags cannot be equated to the claimed signifier because the claimed invention does not include the dynamic essence of OLE. Examiner sees nothing in the claims limiting the instant invention to coverage only when "the dynamic essence of OLE" is **not** involved. The broadest reasonable interpretation of the signifier in the independent claims includes anything that can be identified in a layer that responds in any manner, contains or executes any logic/rule, or recognizes the presence/content of any kind of input or received transmission.

630 Examiner finds that, as cited in **Ferrel**, the tags are signifiers contained in a layer that: recognizes input, logically parses information into a tree, and responds to a requesting source. These tags indicate information is needed to display the parsed information in an appropriate style. Furthermore, these tags which are instructions embedded in the text string are also a form of "code" which indicates what display style should be used. The limitations of the claimed invention have clearly been met.

635 Concerning argument (3): Applicants' argue that although citation **does** disclose retrieving needed information when encountering controls embedded in the document stream of text, the embedded instructions cannot be equated to the claimed signifier because the claimed invention does not include the dynamic essence of

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OLE. Examiner sees nothing in the claims limiting the instant invention to coverage only when "the dynamic essence of OLE" is not involved. The broadest reasonable interpretation of the signifier in the independent claims includes anything that can be identified in a layer that responds in any manner, contains or executes any logic/rule, or recognizes the presence/content of any kind of input or received transmission. Examiner finds that, as cited in **Ferrel**, the embedded controls are instructions embedded in text which signify that information is needed from outside the text stream, such as representations, links, objects, and pictures. These signifiers are found in a layer that responds, recognizes input, and logically processes information using rules. The limitations of the claimed invention have clearly been met. Examiner has clearly shown that the **Ferrel** patent is analogous art and discloses a "signifier" as claimed in the instant application. The rejection of claims 1, 5-6, 8-10, 13-15, 18-20, 23-24, 27-35, and 40-41 under 35 U.S.C. §103 STANDS.

Claim Rejections - 35 USC § 103

650 Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Chikirivao** (USPAP 2003/0163783) and **Ferrel** (USPN 5,907,837) in view of **Jammes** (USPN 6,484,149).

Claim 22:

The combination of **Chikirivao** and **Ferrel** fails to teach:

- 655 - Wherein the step of retrieving rules retrieves all of the rules in a template information script.

Jammes teaches:

- Wherein the step of retrieving rules retrieves all of the rules in a template information script (C1:56 especially "based on a template ... scripts to extract stored ... patterns ... against customization rules" C43:40-65).

660 Motivation:

Jammes and the combination of **Chikirivao** and **Ferrel** are from the same field of endeavor, software development. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined teachings of **Chikirivao** and **Ferrel** by retrieving all of the rules in a template information script as taught by **Jammes** for the benefit of making the on-line experience more convenient and expedient as well as more pleasant (**Jammes** C4:10-35).

Response to Arguments

Applicants' arguments filed 7/24/2006 have been fully considered but they are not persuasive. Applicants argue on page 14 that claims 22 and 25-26 are allowable since the claims indirectly depend from amended claim 1.

Independent claim 1 is still rejected, so Applicants' arguments are irrelevant. The rejection of claim 22 under 35

670 U.S.C. §103 STANDS.

Claim Rejections - 35 USC § 103

Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Chikirivao** (USPAP 2003/0163783)

and **Ferrel** (USPN 5,907,837) in view of **Habraken** ("Microsoft Office XP 8-in-1" – Part III: Word – Chapter 2:

675 Working with Documents).

Claim 25:

The combination of **Chikirivao** and **Ferrel** fails to teach:

- Wherein the predefined event is closing of the template.

680 **Habraken** teaches:

- Wherein the predefined event is closing of the template (pages 4-16 especially "Before closing ... asks whether you want to save these changes before closing" page 15).

Motivation:

Habraken and the combination of **Chikirivao** and **Ferrel** are from the same field of endeavor, software. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined teachings of **Chikirivao** and **Ferrel** by saving information to be available occurs when closing the template being edited as taught by **Habraken** for the benefit of not wanting to lose any recent changes (**Habraken** page 15) since you don't want to lose your valuable documents as you create them (**Habraken** page 13).

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Claim 26:

The combination of **Chikirivao** and **Ferrel** fails to teach:

- Wherein the predefined event is passage of a predetermined amount of time.

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Habraken teaches:

- 695 - Wherein the predefined event is passage of a predetermined amount of time (pages 4-16 especially "AutoSave feature ... AutoRecoverInfo Every ... set the time interval between autosaves" page 13).

Motivation:

700 **Habraken** and the combination of **Chikirivao** and **Ferrel** are from the same field of endeavor, software. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined teachings of **Chikirivao** and **Ferrel** by saving information occurs after a predetermined amount of time as taught by **Habraken** for the benefit of not wanting to lose any recent changes (**Habraken** page 15) since you don't want to lose your valuable documents as you create them, so if you are really absent-minded about periodically saving your work, use the AutoSave feature (**Habraken** page 13).

Response to Arguments

705 Applicants' arguments filed 7/24/2006 have been fully considered but they are not persuasive. Applicants argue on page 14 that claims 22 and 25-26 are allowable since the claims indirectly depend from amended claim 1. Independent claim 1 is still rejected, so Applicants' arguments are irrelevant. The rejection of claims 25-26 under 35 U.S.C. §103 STANDS.

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Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

715 A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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The prior art made of record and not relied upon is considered pertinent to Applicants' disclosure.

- Ibrahim ("TARO: An Interactive, Object-Oriented Tool for Building Natural Language Systems")
- Uszkoreit ("DISCO – An HPSG-based NLP System and its Application for Appointment Scheduling")
- Ohara (USPN 6,366,300)
- 725 - Okude (USPAP 2003/0220890)
- Chan (USPAP 2003/0023573)

Claims 1, 5-6, 8-10, 13-15, 18-20, 22-35, & 40-41 are rejected.

Correspondence Information

730 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin J. Buss whose telephone number is 571-272-5831. The examiner can normally be reached on M-F 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Vincent can be reached on 571-272-3080. The fax phone number for the organization where this application or proceeding 735 is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the 740 Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin J Buss
Examiner
Art Unit 2129

BJB

David Vincent
SPE 2129 10/12/06